

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**ALLIANTGROUP, L.P.,**

*Plaintiff,*

**vs.**

**BRAD MOLS,**

*Defendant.*

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**NO. 4:16-CV-03114**

**DECLARATION OF MATTHEW L. SIMMONS REGARDING DANIEL LEWICKI'S  
DEPOSITION**

1. My name is Matthew L. Simmons. I am over 21 years of age, of sound mind, and am fully competent to make this Declaration. I make this Declaration in my capacity as one of the attorneys representing Plaintiff alliantgroup, L.P. ("alliantgroup" or "Plaintiff") in the above-titled case (the "Lawsuit"). The matters set forth in this Declaration are based on my personal knowledge of the case as counsel for Plaintiff, and they are true and correct. As such, I am qualified to make this Declaration.

2. Pursuant to the Court's Order on Plaintiff's Motion for Sanctions (Doc. 35) on June 12, 2017, I provide the following expenses and fees incurred by alliantgroup due to Mr. Daniel Lewicki's non-appearance at his scheduled deposition on May 25, 2017.

3. The Court reporter cost of Mr. Lewicki's Certificate of Non-Appearance was \$350.00 and the videographer cost of \$305.00 billed by court reporting service Huseby.


4. I spent .2 hours conducting the Certificate of Non-Appearance of Mr. Lewicki. My billable rate for this matter is \$360 per hour, which is reasonable and customary within this jurisdiction based upon my years of experience (2010 law school graduate) and the complexity

of this matter. Accordingly, alliantgroup expended \$72.00 on attorneys' fees in conducting the Certificate of Non-Appearence.

5. Plaintiff alliantgroup is thereby rightfully owed \$727.00 by Mr. Lewicki pursuant to the Court's June 12, 2017 Order.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States and the State of Texas that the foregoing is true and correct.

SIGNED on this 16<sup>th</sup> day of June, 2017, in Houston, Texas.

  
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Matthew L. Simmons